

United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

SUPPLEMENT.

N. J. 10301-10350.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., June 22, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

10301. Misbranding of Princess Brand pennyroyal, tansy, and cotton root bark compound. U. S. * * * v. 3 Dozen Boxes of Princess Brand Pennyroyal, Tansy, and Cotton Root Bark Compound. Default decree ordering the destruction of the product. (F. & D. No. 13756. Inv. No. 26207. S. No. E-2765.)

On March 3, 1921, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen boxes of Princess Brand pennyroyal, tansy, and cotton root bark compound, and subsequently an amendment to the said libel changing the amount of the said product from 3 dozen boxes as stated in the original libel to 69 packages, which product remained unsold in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped by Robert J. Pierce, Inc., New York, N. Y., on or about April 13, 1920, and transported from the State of New York into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of pills containing aloes.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect of the said article, appearing on the label of the box containing the article and in the accompanying circular, to wit, (box) " * * * A Safe, Reliable, Powerful, Yet Harmless Emmenagogue * * * " (circular) " * * * For use in the suppression of irregularities of the menses. These pills are efficient in their results, * * * In cases where the period is irregular, it is best to commence the use of these pills three or four days before the expected time by taking one pill every four hours until the time arrives. * * * " were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On March 1, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10302. Adulteration of oysters. U. S. * * * v. Charles Neubert (Charles Neubert & Co.). Plea of nolo contendere. Fine, \$100 and costs. (F. & D. No. 15070. I. S. Nos. 8275-t, 8276-t, 8277-t, 8278-t, 8279-t, 8280-t, 8281-t.)

On November 21, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district an information against Charles Neubert, trading as Charles Neubert & Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 2, 1921, from the State of Maryland into the State of West Virginia, of quantities of oysters which were adulterated. The article was labeled in part: "Neuberts * * * Oysters Known As The Best."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and had been substituted in part for oysters, which the said article purported to be.

On November 21, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10303. Misbranding of Lung Germine. U. S. * * * v. 73 Bottles of Lung Germine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15109. Inv. No. 30313. S. No. C-3092.)

On July 2, 1921, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 73 bottles of Lung Germine, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Lung Germine Co., Jackson, Mich., on or about March 19 and 28, 1921, respectively, and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle label) "* * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular Stages) * * * Use no other lung medicine while using Lung Germine. Read carefully the circular accompanying this bottle * * *"; (carton) "* * * Use no other lung medicine when using Lung Germine. Read carefully the circular accompanying this bottle. * * * Your Lungs Are They Weak Or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble. Do Not Neglect These Symptoms. Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid, alcohol, and water, with small quantities of iron sulphate, spices, and material derived from cod-liver oil.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the package failed to bear a statement on the label thereof of the quantity or proportion of alcohol contained therein.

On September 20, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10304. Adulteration and misbranding of table oil. U. S. * * * v. 20 Cans * * * of Table Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15117. I. S. No. 678-t. S. No. C-3094.)

On July 7, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the Dis-